

11 UNITED STATES OF AMERICA. No. CR-14-00102-CRB

12 Plaintiff, ORDER RE JUDICIAL NOTICE

13 || v.

14 IAN FURMINGER,

15 Defendant.

17 The Court takes judicial notice of the attached general orders of the San Francisco  
18 Police Department.

19 || IT IS SO ORDERED.

21 | Dated: February 20, 2015

  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

## **EQUIPMENT**

This order specifies required and optional equipment for both uniformed and non-uniformed officers.

### **I. POLICY**

#### **A. GENERAL RESPONSIBILITIES OF OFFICERS**

1. **SAFEKEEPING AND USE.** Officers are responsible for the safekeeping and appropriate authorized use of their issued uniform and equipment items. Officers shall maintain uniform and equipment items in a clean and serviceable condition at their expense. Officers are also responsible for promptly reporting the loss, theft, or unserviceable condition of any issued uniform or equipment item.
2. **LOANING UNIFORM OR EQUIPMENT ITEMS.** Unless exigent circumstances exist, officers shall not loan or supply another person with any uniform or equipment item without the permission of their commanding officer or officer-in-charge.

#### **B. DEPARTMENT-AUTHORIZED FIREARMS:** Firearms authorized by the Department as the primary on-duty weapons for officers shall be of the type, make, model and caliber as recommended by the Department Rangemaster and approved by the Chief of Police.

1. **OTHER WEAPONS.** In accordance with Penal Code § 12030 P.C., and subject to the requirements of local law, the Department Rangemaster may select weapons for use by officers of the Department from those booked with the Property Control Section that would otherwise be subject to destruction. The Rangemaster may issue such weapons to officers working specialized assignments with written authorization from their Deputy Chief. Before carrying these weapons, officers must demonstrate proficiency in their use as required for on-duty secondary weapons (see Section F.4.).
2. **THEFT OR LOSS OF FIREARM.** An officer shall file a written report through his/her chain of command to the Chief immediately following the loss or theft of any Department-issued or approved firearm. The report shall include a complete description of the weapon (including the serial number) and contain all the surrounding facts. The officer shall send a copy of the report to the Department Rangemaster.

3. REPAIR OR ALTERATION OF FIREARMS. Department owned firearms shall not be repaired or altered except as authorized by the Department Rangemaster or designated range personnel. Any authorized secondary firearms shall not be altered without authorization of the Department Rangemaster.
4. RANGE REQUALIFICATION. Officers must show proficiency with their Department issued primary firearm in accordance with criteria and frequency as dictated by the Department Rangemaster.

Officers performing their re-qualification shall use their Department approved primary duty weapon. Weapons approved under any other provision of this order shall not be used during re-qualification.

- C. AMMUNITION. Ammunition used in primary on-duty firearms shall be Department-issued. Department-issued ammunition shall not be used in any other weapon, either on or off duty.

#### D. MAGAZINES

1. On-duty uniformed officers equipped with semi-automatic firearms shall carry at least three fully loaded magazines: one in the weapon and two in a Department-issued double magazine holder pouch on their equipment belt.
2. On-duty plainclothes officers equipped with semi-automatic firearms shall carry at least two fully loaded magazines: one in the weapon, and one in a Department-issued combination handcuff/magazine case.

#### E. REQUIRED EQUIPMENT

1. ON-DUTY UNIFORMED OFFICERS. Officers of all ranks while on duty in uniform shall be equipped with the following equipment.
  - a. Star, displayed on the outermost garment over the left breast.
  - b. Department identification card.
  - c. Brass nameplate.
  - d. Department-issued firearm, fully loaded with Department-issued magazine and ammunition.
  - e. Two extra Department-issued magazines (or speed loaders), fully loaded with Department-issued ammunition in a Department-issued double magazine (or speed loader) pouch.
  - f. Department-issued impact weapon.

- g. Department-issued handcuffs, case, and key.
- h. Call box key.
- i. Whistle.
- j. Flashlight in good working condition.
- k. Notebook.
- l. Citation book.
- m. Street guide.
- n. Department-issued radio.
- o. Miranda warning card.
- p. Department-issued chemical agent.
- q. Department-issued holster.
- u. Department-issued bullet-resistant vest.

2. **ON-DUTY OFFICERS/CIVILIAN DRESS.** Officers of all ranks, while on duty in civilian dress, shall be equipped with the following equipment:

- a. Star.
- b. Department identification card.
- c. Department issued firearm fully loaded with Department-issued ammunition.
- d. One extra magazine for the Department-issued firearm, fully loaded with Department-issued ammunition in a Department-issued magazine pouch.
- e. Handcuffs and key.
- f. Call box key.
- g. Whistle.
- h. Miranda warning card.
- i. Combination magazine/handcuff case.

- j. Department-issued holster.
- k. Department-issued chemical agent.
- l. Department-issued impact weapon.
- m. Department-issued radio
3. **EXCEPTION:** Commissioned Officers and Officers performing investigative or non-investigative, non-patrol, or specialized function can be exempted from the requirements previously listed in E-1 and E-2 with their commanding officer's approval. If the amended equipment includes a firearm, the officer must comply with the provisions concerning secondary firearms.
4. **EXPOSING WEAPONS.** Officers in civilian dress shall not knowingly expose weapons in public unless they conspicuously display their stars.

#### F. OPTIONAL EQUIPMENT

1. **ON-DUTY OFFICERS.** On-duty officers may be equipped with the following equipment items, which shall be purchased at the officer's expense:
  - a. Extra belt keepers.
  - b. Extra handcuffs.
  - c. A belt buckle displaying the SFPD star or bearing the words "San Francisco Police Department."
  - d. A folding knife, if sheathed in a black basket weave leather pouch on the equipment belt or kept in their pocket.
  - e. A cord-cuff restrainer "hobble," if encased in a black basket weave leather pouch on the equipment belt, for those members trained in the hobble.
2. **DEPARTMENT-ISSUED ITEMS ONLY.** With the exception of the items in F.1 above, and F.4 below, only Department-issued items are to be worn while in uniform.
3. **BULLET-RESISTANT VESTS.** All Personnel shall wear a bullet-resistant vest while working undercover operations, except as provides in Section E.3.
4. **SECONDARY FIREARMS.** An on-duty officer may carry a concealed second firearm in addition to his/her primary Department issued firearm with the approval of his or her Deputy Chief and Rangemaster. The memorandum shall include weapon and ammunition information. The secondary firearm must either be a double action revolver or a semi-automatic firearm equipped with a first round double action trigger. Single action revolvers, single action and safe action semi-automatic firearms, and derringers of any caliber are prohibited. No reloaded ammunition shall be used.

- a. **REGISTRATION.** An officer who intends to carry a secondary firearm must comply with the following instructions:
  - (1) Officers must register the secondary firearm by written memorandum to their respective Deputy Chief. The memo must be approved by the Deputy Chief and then routed to the Department Rangemaster. The memorandum must contain a statement of the officer's intention to carry the weapon along with the make, model, caliber, serial number, and barrel length.
  - (2) All concealable secondary firearms shall be inspected annually by the Department Rangemaster or his/her designee to determine that minimum operational safety and functionality standards have been met. Secondary handguns that do not meet these minimum standards shall not be registered for use and shall not be carried.
- b. **PROFICIENCY.** Before carrying the secondary weapon, the officer must satisfactorily demonstrate proficiency to the Department Rangemaster or his/her designee and demonstrate proficiency annually during any scheduled firearm practice. When demonstrating proficiency, the officer will be required to present a copy of the most recently approved memorandum that registers the weapon with the Department Rangemaster or his/her designee.
- c. **RECORDS.** The Department Rangemaster will ensure that a written certification of proficiency is prepared and forwarded to the Personnel Division for inclusion in the officer's personnel file. A copy shall be retained at the Lake Merced Range.

5. **JEWELRY AND ORNAMENTS** (also see DGO 11.08, Grooming Standards). On-duty officers shall not wear jewelry or personal ornaments that are visible except:
  - a. A wristwatch.
  - b. A total of 2 rings that are consistent with officer safety. An engagement and wedding ring set will be considered as one ring.
  - c. A conservative tie bar or tie tack.
- d. Female officers may, in addition, wear the following:
  1. Hair clips or pins that match the color of the hair.
  2. One ear post in each ear. The post must lie flush with the ear and be plain metal, gold or silver colored. The face of the post is not to have a diameter of more than three-eighths (3/8) inch. Nothing shall hang from the post.

**G. OFF-DUTY OFFICERS**

1. **OPTIONAL EQUIPMENT.** Officers of all ranks while off duty may be equipped with the following:
  - a. Star.
  - b. Department identification card.
  - c. Loaded handgun.
  - d. Department approved handcuffs.
  - e. Callbox key.
  - f. Whistle.
  - g. Miranda warning card.
  - h. Chemical agent canister.
  - i. Bullet-resistant vest.
2. **STAR AND ID/OFF DUTY.** An officer opting to carry a handgun off duty shall be equipped with his/her star and Department identification card.

**H. EQUIPMENT USED IN SECONDARY EMPLOYMENT.** See DGO 11.02, Secondary Employment.

**I. STAR OR BADGE**

1. **ASSIGNED STARS AND NUMBERS.** Officers appointed to the rank of police officer (Q-2) will be issued a Department-owned star with an identifying number. The star and number will remain assigned to the officer throughout his/her employment unless administratively changed.
2. **NON-SWORN EMPLOYEES.** Certain non-sworn employees may be issued a shield badge with an identifying number.
3. **AUTHORIZATION.** A member shall not possess any star or badge of the kind or design used by the Department without written authorization by the Chief of Police.
4. **OTHER RANKS.** Officers appointed to a civil service or exempt rank, other than police officer, must purchase a star with a proper identification number at their expense after obtaining written authorization from the Chief of Police.

**J. FLAT STAR.** A Member who wishes to purchase a "flat star" may do so, (1) with the written approval of the Chief of Police, and (2) at their own expense. Members shall submit a memo through their chain of command requesting permission to purchase a flat star.

Members are responsible for all costs incurred in the purchase of their flat star. Other requirements are:

1. The flat star shall not be worn as a replacement for the official Department star.
2. Members will be solely responsible for repair or replacement of a flat star. Any lost or stolen flat star shall be reported by the member via incident report and SFPD memo.
3. Members shall own or posses only one flat star.

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## **GENERAL ORDER**

07/20/94

### **DUTIES OF SERGEANTS**

This order outlines responsibilities of sergeants regarding supervision, reports and records, notifications and radio contact.

#### **I. POLICY**

##### **A. Sergeants shall:**

###### **1. SUPERVISION**

- a. Train and lead subordinates in the performance of their duties and set an example of efficiency and deportment.**
- b. Have immediate control and supervision of assigned members.**
- c. Require all assigned members to comply with the policies and procedures of the Department, and take appropriate action when violations occur.**
- d. Not permit subordinates to linger at a police facility or other locations when not on official business.**
- e. Frequently visit assigned members during their tour of duty, record times and places of visits, and conduct inspections of the members.**
- f. Be responsible for the policing of their assigned areas. During an emergency, have immediate control over their subordinates' response until command is assumed by a superior officer.**
- g. Visit Patrol Special Officers on their beats and inspect their uniforms and equipment.**
- h. Notify the Lieutenant when an officer or a Patrol Special Officer cannot be located. Search for the officer until he/she is found or until relieved by a superior officer. Make a written report to the Commanding Officer when the officer cannot provide a satisfactory explanation for his/her absence.**

DGO 1.04  
07/20/94

- i. Ensure that subordinates promptly and properly respond to radio assignments.
2. REPORTS AND RECORDS
  - a. Review their subordinates arrests and reports for appropriateness and completeness.
  - b. Record details and assignments of members under their immediate supervision.
  - c. Keep and maintain a Performance Improvement Program (PIP) binder for each assigned officer.
3. NOTIFICATIONS. Keep their superior officers informed of personnel matters and conditions in the assigned area. Inform superior officers of places suspected of being used for unlawful activities or places where known criminals congregate. Advise superiors of possible labor disputes or any condition warranting police action.
4. RADIO CONTACT. Maintain constant radio contact with Communications Division and respond to calls that may require supervision.

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